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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/749,149

12/30/2003

Michael Chiviendacz

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VEDDER PRICE KAUFMAN & KAMMHOLZ
222 N. LASALLE STREET
CHICAGO, IL 60601

EXAMINER

BROWN, VERNAL U

ART UNIT

PAPER NUMBER

2612

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

03/22/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/749,149	CHIVIENDACZ ET AL.	
	Examiner	Art Unit	
	Vernal U. Brown	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The application of Michael Chiviendacz for Method and Apparatus for Securely Providing identification Information Using Translucent identification member With Filter filed 12/30/2003 has been examined. Claims 1-54 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8, 25, 27, 33, 34, 40-50 are rejected under 35 U.S.C. 102(b) as being anticipated by Oksman et al. US Patent 5,233,436.

Regarding claim 1, Oksman et al. teaches a method for providing identification information comprising:

generating a visual filtering pattern provided by screen (13) (col. 3 lines 63-65) that when combined with a obscure user identifier such as icons, words, or pictures visually reveals the identifier (col. 4 lines 14-19, col. 4 lines 32-41, col. 5 lines 8-15). Oksman et al. teaches the screen is translucent because it is partially transparent and prevent perception of distinct images. (col. 3 lines 62-65).

Regarding claim 2, Oksman et al. teaches assigning identification information to the visual filtering pattern by writing to the display character images, icon, or word (col. 4 lines 17-19) and teaches storing the identification and associate filtering pattern on a storage media (col. 4 lines 13-20).

Regarding claim 3, Oksman et al. teaches generating a visual filtering pattern provided by screen (13) (col. 3 lines 63-65) that when combined with a obscure user identifier such as icons, words, or pictures visually reveals the identifier (col. 4 lines 14-19, col. 4 lines 32-41, col. 5 lines 8-15). The examiner considers the issuer as the person or organization that generate the storage medium for performing the identification procedure (col. 4 lines 13-20).

Regarding claim 4, Oksman et al. teaches assigning identification information to the visual filtering pattern by writing to the display character images, icon, or word (col. 4 lines 17-19) and teaches storing the identification and associate filtering pattern on a storage media (col. 4 lines 13-20).

Regarding claim 5, Oksman et al. teaches a translucent identification member (13) having a translucent area, which is partially transparent and prevent perception of distinct images. (col. 3 lines 62-65). Oksman et al. teaches the screen includes a filter pattern configured to visually filter a displayed unique identifier and configure to overlay a portion of the display screen (col. 4 lines 14-19, col. 4 lines 32-41).

Regarding claim 6, Oksman et al. teaches sending a pattern containing obscured images such as character images, icon, or word (col. 4 lines 17-19) and teaches when the screen is combined with the displayed characters visually revealed the identifier (col. 4 lines 14-19, col. 4 lines 32-41)

Regarding claim 7, Oksman et al. teaches the pattern is sent to the display (col. 4 lines 17-19).

Regarding claim 8, Oksman et al. teaches sending the revealed identifiers to an authentication device by typing in the revealed identifier at the computer (col. 5 lines 5-15).

Regarding claims 25 and 27, Oksman et al. teaches generating visually obscured identifier for display and sending the generated visually obscured user identifier for display in response to a use request by activating the program on the storage media (col. 4 lines 17-19).

Regarding claim 33, Oksman et al. teaches a translucent identification member authenticator (computer) operative to receive data from user by the user typing in the revealed identifier (col. 5 lines 5-15). Oksman et al. teaches comparing the received data with a corresponding expected identifier to determine whether proper authentication of the user is appropriate (col. 5 lines 8-15).

Regarding claim 34, Oksman et al. teaches the expected revealed identifier prior to the receipt of the received data corresponding to the revealed identifier because the identifier is already stored on the storage media (col. 4 lines 13-20).

Regarding claims 40-42, Oksman et al. teaches an authenticator operative to receive data representative of a revealed identifier from the displayed obscure identifier (col. 5 lines 5-15) and teaches comparing the received data with a corresponding expected identifier to determine whether proper authentication of the user is appropriate (col. 5 lines 8-15). Oksman et al. teaches the identifier is revealed by overlaying the visual filter pattern provided by the screen (13) on the displayed images (col. 4 line 33-45).

Regarding claim 43, Oksman et al. teaches the translucent identification member authenticator send right grant information in response to receiving data matching the corresponding expected identifier (col. 5 lines 5-15).

Regarding claims 44-45, Oksman et al. teaches displaying visually obscure user identification data (col. 4 lines 14-18) and receiving data representing revealed user

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authentication data that is derived when a visual filter pattern provided by screen (13) is combined with the displayed identifier (col. 5 lines 5-15).

Regarding claim 46, Oksman et al. teaches the revealed user authentication data is entered using keyboard (5) and the keyboard is different from the display used to reveal the identifier.

Regarding claims 47 and 49, Oksman et al. teaches displaying visually obscure user identification data (col. 4 lines 14-18) and receiving data representing revealed user authentication data that is derived when a visual filter pattern provided by screen (13) is combined with the displayed identifier (col. 5 lines 5-15).

Regarding claim 48, Oksman et al. teaches the identification information is entered at the keyboard and transmitted to the CPU for comparison (col. 5 lines 8-15).

Regarding claim 50, Oksman et al. teaches a translucent area having a visual filtering pattern configure to visually filter an obscure user identification (col. 4 lines 16-25).

Claims 51-54 are rejected under 35 U.S.C. 102(b) as being anticipated by McVoy et al. US Patent 3827726.

Regarding claim 51, McVoy et al. teaches a transaction card comprising identification information and a second area containing a translucent identification member having a translucent area that includes a visual filter pattern (col. 5 lines 3-14).

Regarding claim 52, McVoy et al. teaches the second portion (30a) includes an attach identification number (col. 5 lines 8-10).

Regarding claims 53-54, McVoy et al. teaches the translucent identification member is configured to be attached to a display portion (30) (col. 5 lines 7-12).

Claims 17-19, 21-24, and 36-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Brown et al. US Patent 6784905.

Regarding claims 17-19 and 23-24, Brown et al. teaches an apparatus (10) comprising a circuit for receiving a request from a user for a visual filter pattern (col. 5 lines 27-36, col. 5 lines 43-48) and recording a link between the user and the identification information associated with the filtering pattern base on the user visual disability (col. 6 lines 6-12).

Regarding claim 21, Brown et al. teaches the filtering pattern is sent to the user for placement on a translucent identification member (col. 5 lines 43-47).

Regarding claim 22, Brown et al. teaches the filtering pattern is selected from an existing pool of filtering patterns in a database (col. 6 lines 6-12).

Regarding claim 36, Brown et al. teaches an apparatus (10) comprising a circuit for receiving a request from a user for a visual filter pattern (col. 5 lines 27-36, col. 5 lines 43-48). Brown et al. also teaches customizing the software to provide particular visual filter to the user (col. 5 line 65-col. 6 line 3) and teaches the visual filters stored in the database is based on user's personal information such as user visual disability (col. 6 lines 6-13).

Regarding claim 37, Brown et al. teaches the filtering pattern is selected from an existing pool of filtering patterns in a database (col. 6 lines 6-12).

Regarding claims 38-39, Brown et al. teaches the visual filters are created base on user information such as user visual disability (col. 6 lines 6-13) and the user is requested to input information for the selection of the visual filter pattern (col. 7 lines 14-25).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9-11, 13, 14-16, 28-30, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oksman et al. US Patent 5,233,436 in view of Brown et al. US Patent 6784905.

Regarding claim 9, Oksman et al. teaches generating a pattern of obscure user identifier such that when the pattern of obscure user identifiers are combined with visual filter pattern provided by the screen, the expected identifier pattern is revealed col. 4 lines 14-19, col. 4 lines 32-41, col. 5 lines 8-15) and the obscure user identifiers are displayed (col. 4 lines 15-20). Oksman et al. further teaches sending the revealed identifiers to an authentication device by typing in the revealed identifier at the computer (col. 5 lines 5-15). Oksman et al. is however silent on teaching receiving user identification information as a first factor of authentication for a user and uses the user identification to identify a translucent identification member containing a particular filtering pattern. Brown in an art related translucent filters invention teaching

receiving user identification information in the form of user visual disability and the user information is use to generate the particular filtering pattern (col. 6 lines 6-12).

It would have been obvious to one of ordinary skill in the art to modify the system of Oksman et al. as disclosed by Brown because associating a particular filter pattern base on user identification allows the customization of the filter pattern based on the user visual disability and therefore renders the translucent identification system more effective.

Regarding claims 10 and 13, Oksman et al. teaches examining the received data representing the revealed identifier to determine if it matches the expected identifier (col. 5 lines 7-15).

Regarding claim 11, Oksman et al. teaches the expected revealed identifier prior to the receipt of the received data corresponding to the revealed identifier because the identifier is already stored on the storage media (col. 4 lines 13-20).

Regarding claim 14-16, Oksman et al. teaches sending the revealed identifiers to an authentication device by typing in the revealed identifier at the computer and authenticating the user if a match is determined (col. 5 lines 5-15).

Regarding claim 28, Oksman et al. teaches a circuit for generating a pattern of obscure user identifier such that when the pattern of obscure user identifiers are combined with visual filter pattern provided by the screen, the expected identifier pattern is revealed col. 4 lines 14-19, col. 4 lines 32-41, col. 5 lines 8-15) and the obscure user identifiers are displayed (col. 4 lines 15-20). Oksman et al. further teaches sending the revealed identifiers to an authentication device by typing in the revealed identifier at the computer (col. 5 lines 5-15). Oksman et al. is however silent on teaching receiving user identification information as a first factor of authentication for a

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user and uses the user identification to identify a translucent identification member containing a particular filtering pattern. Brown in an art related translucent filters invention teaching receiving user identification information in the form of user visual disability and the user information is use to generate the particular filtering pattern (col. 6 lines 6-12).

It would have been obvious to one of ordinary skill in the art to modify the system of Oksman et al. as disclosed by Brown because associating a particular filter pattern base on user identification allows the customization of the filter pattern based on the user visual disability and therefore renders the translucent identification system more effective.

Regarding claim 29, Oksman et al. teaches examining the received data representing the revealed identifier to determine if it matches the expected identifier (col. 5 lines 7-15).

Regarding claim 30, Oksman et al. teaches the expected revealed identifier prior to the receipt of the received data corresponding to the revealed identifier because the identifier is already stored on the storage media (col. 4 lines 13-20).

Regarding claim 32, Oksman et al. teaches Oksman et al. teaches sending the revealed identifiers to an authentication device by typing in the revealed identifier at the computer and authenticating the user if a match is determined (col. 5 lines 5-15).

Claims 12 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oksman et al. US Patent 5,233,436 in view of Brown et al. US Patent 6784905 and further in view of Scuitto et al. US Patent 3875375.

Regarding claims 12 and 31, Oksman et al. teaches an authenticator determining the expected revealed identifier but is silent on teaching the authenticator determines the expected identifier after the receipt data corresponding to the revealed identifier. Scuitto et al. in an art related identification card invention teaches comparing the identification entered with information read from the identification card (col. 5 lines 58-63). The expected identifier is determined after the receipt of the data corresponding to the revealed identifier the identification of the card is read after keying the user identification.

It would have been obvious to one of ordinary skill in the art to modify the system of Oksman et al. as disclosed by Scuitto et al. because determining the expected identifier after the receipt of the data corresponding to the revealed identifier allows the user to be authenticated base on the user's input.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al. US Patent 6784905 in view of McVoy et al. US Patent 3827726.

Regarding claim 20, Brown et al. teaches the use of a visual filter pattern col. 5 lines 27-36) but is silent on teaching the filter pattern is send to a third part for placement on an identification member. McVoy et al. in an art related identification card invention teaches sending a visual filter to credit card issuer for placement on the filtering pattern onto the card (col. 4 lines 30-40).

It would have been obvious to one of ordinary skill in the art to modify the system of Brown as disclosed by McVoy et al. because placement of the visual filter on the card ensures that the card identification information can be only be read by authorized persons.

Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oksman et al. US Patent 5,233,436 in view of Scuitto et al. US Patent 3875375.

Regarding claim 35, Oksman et al. teaches an authenticator determining the expected revealed identifier but is silent on teaching the authenticator determines the expected identifier after the receipt data corresponding to the revealed identifier. Scuitto et al. in an art related identification card invention teaches comparing the identification entered with information read from the identification card (col. 5 lines 58-63). The expected identifier is determined after the receipt of the data corresponding to the revealed identifier the identification of the card is read after keying the user identification.

It would have been obvious to one of ordinary skill in the art to modify the system of Oksman et al. as disclosed by Scuitto et al. because determining the expected identifier after the receipt of the data corresponding to the revealed identifier allows the user to be authenticated base on the user's input.

Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oksman et al. US Patent 5,233,436 in view of McVoy et al. US Patent 3827726.

Regarding claim 26, Oksman et al. generating and displaying the obscure user identification (col. 4 lines 14-19) but is silent on teaching combining user specific information with other information to produce the visually obscure identifier. McVoy et al. in an art related

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identification card invention teaches using user information to produce visual obscure identification (col. 5 lines 3-10).

It would have been obvious to one of ordinary skill in the art to modify the system of Oksman et al. as disclosed by McVoy because combining user specific information with other information to produce the visually obscure identifier simplify the choice of the obscure identifier.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vernal U. Brown whose telephone number is 571-272-3060. The examiner can normally be reached on 8:30-7:00 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 571-272-7308. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Vernal Brown
March 12, 2007



BRIAN ZIMMERMAN
PRIMARY EXAMINER